



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/887,469	06/22/2001	Christine D Krempf	015280-424100US

20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 6953

## FORMALITIES LETTER



\*OC000000006373882\*

Date Mailed: 08/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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2020060428860

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Group Art Unit: 1642

Christine D. Krempf, Peter L. Collins,  
 Brian R. Murphy, Ursula Buchholz,  
 Stephen S. Whitehead

Serial No.: 09/887,469

Customer No.:

Filing Date: June 22, 2001

Confirmation No.: 6953

For: RESPIRATORY SYNCYTIAL VIRUS VACCINES EXPRESSING  
 PROTECTIVE ANTIGENS FROM PROMOTER-PROXIMAL GENES

DATE OF DEPOSIT: March 1, 2002  
 I HEREBY CERTIFY THAT THIS PAPER IS BEING  
 DEPOSITED WITH THE UNITED STATES POSTAL  
 SERVICE AS FIRST CLASS MAIL, POSTAGE  
 PREPAID ON THE DATE INDICATED ABOVE  
 AND IS ADDRESSED TO BOX MISSING PARTS,  
 ASSISTANT COMMISSIONER FOR PATENTS,  
 WASHINGTON, DC 20231.

TYPED NAME: Jeffrey J. King  
 REGISTRATION NO.: 38,515

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
 Washington DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
 REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date  
 Granted" dated August 2, 2001, a response to which is due October 2, 2001, enclosed  
 herewith for filing is:

**Declarations and Powers of Attorney**

☒ A Combined Declaration and Power of Attorney, executed by the  
 inventor(s). An unexecuted copy of this document, attached to the above-identified  
 specification, was filed by Express Mail No. ET593399895US on June 22, 2001.

- ☐ A Combined Declaration and Power of Attorney, executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with to the above-identified application specification on @@, via by Express Mail No. @@. Such deletion/addition of inventors is specifically provided for in 37 CFR Sec. 1.48.
- ☐ A copy of the original Declaration and Power of Attorney, executed by the inventor(s) as filed in parent application serial no. \_\_\_\_\_.
- ☐ A copy of the Power of Attorney with revocation filed on \_\_\_\_\_
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b)
- ☒ An associate power of attorney executed by Jeffrey J. King who is/was listed on the original declaration/power of attorney.

**Drawings**

- ☒ 17 Sheets of Substitute drawings comprising Figures 1A, 1B, 2, 3A, 3B, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13A, 13B, 14, 15A, 15B, 15C in compliance with 37 C.F.R. 1.84.

**Sequence Listing** (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of sequence listing in specification
- ☐ Statement to Support Filing of Sequence listing

**Claim for Small Entity Status**

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

**Miscellaneous Items**

- ☒ A copy of the Notice to File Missing Parts.
- ☐ Request for Corrected Filing Receipt.
- ☐ Request for Refund Due to Small Entity Status
- ☐ Request for Refund Due to Fee Calculation Error

**Fee Calculation and Extension of Time**

☒ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due October 2, 2001 to and through March 2, 2002, comprising an extension of the shortened period of five (5) months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$130
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$720	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input checked="" type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$1960
TOTAL FEE DUE				\$2090

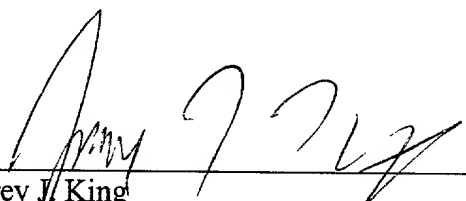
Applicants have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

- ☒ A check in the total amount due of \$2,090 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$2,090.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.
  - ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
  - ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
  - ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: March 1, 2002

  
\_\_\_\_\_  
Jeffrey J. King  
Registration No. 38,515

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